

RECORD OF OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL
 Regular Meeting No. 175 - March 17, 2005
 City of Rochester, Minnesota

7300

Agenda Item	
	Pledge of Allegiance
A-1	Wishing to be heard during the Open Comment Period was Mike Hendrickson, 2525 19 th Ave. NW. There is planned a sidewalk repair on his corner lot and he asked that this be vacated being that it will abut the retaining wall and this would make maintenance easier for the property. Staff will work with Mr. Hendrickson to find a solution.
B-1	<p>President Dennis Hanson called the meeting to order at 7:00 P.M. with the following members present: Councilmembers Pat Carr, Ed Hruska, Marcia Marcoux, Jean McConnell, Sandra Means, Bob Nowicki. Absent: None. Also present: Mayor Ardell F. Brede.</p> <p>President Hanson welcomed the Boy Scout Troup #27 to the meeting.</p>
C-1	Mayor Brede proclaimed March 6 through 12, 2005, as Girl Scout Week.
D-1-16 18-20	Councilmembers Means moved, McConnell seconded, to approve the following consent agenda items.
D-1	Approved the minutes of the February 14, 2005, meeting.
D-2	Adopted Resolution No. 069-05 setting a hearing date of April 4, 2005 for the creation of a special service district for downtown Rochester.
D-3	Adopted Resolution No. 070-05 authorizing the City Clerk to publish notice of a public hearing to be held April 4, 2005, to consider the proposed amendment of the home rule charter deleting reference to school board in Section 7.07 (certain compensation prohibited).
D-4	Approved the application from Charles Brannon for an On-Sale Wine and 3.2% Beer License for Eastwood Golf Course Concession DBA Eastwood Grill at 3505 Eastwood Road S.E. pending the required fees, insurance certificates, and all departmental approvals.
D-5	<p>Approved the following licenses and miscellaneous activities:</p> <p><u>Gambling – Temporary</u></p> <p>Trout Unlimited – Raffle at Radisson Centerplace Hotel – April 23, 2005.</p> <p>Healing Spirit Metropolitan Community Church – Bingo at Senior Citizen Center – April 23, July 16 and November 12, 2005.</p> <p>Minnesota/USA Wrestling, Inc. = Raffle at RCTC Fieldhouse – May 8, 2005</p> <p><u>Gambling – Premise Permit Renewals</u></p> <p>Olmsted County Hockey Association at CJ's Midtown Lounge, Rookies Sports Bar, The Sandtrap, Beetles Bar & Grill, Mickey's Irish Saloon, The Break Room</p>

Agenda
Item

Liquor – Temporary On-Sale

St. John the Evangelist Church – St. Patrick's Day Celebration – March 12, 2005

Sound Amplification

March of Dimes – Walk America at Elks Lodge - April 30, 2005 – 7:30 AM to 12:30 PM

Miscellaneous Activities

March of Dimes – Walk America at Elks Lodge - April 30, 2005 – 7:30 AM to 12:30 PM

Med-City Marathon – Road Race – May 29, 2005 – 8:00 AM to 3:00 PM

Off Sale Intoxicating Liquor (Annual Renewals)

A C Liquor, Inc DBA Andy's Liquor
Alexandra D, Inc DBA Apollo Liquor Warehouse
Andy's Crossroads Liquor, Inc DBA Andy's
Andy's Marketplace Liquor, Inc.
Apollo I, DBA Peter's Liquors
B & F Leasing, Inc. DBA Apollo Liquor & Smoke Shop
Deanna, Inc. DBA Apollo Wine & Spirits
Supervalu, Inc DBA Cub Foods Bear Creek Liquor
RMT of Rochester, Inc. DBA Buckeye Liquor
Hy-Vee, Inc. DBA Hy-Vee Wine & Spirits
Joe's Liquor, Inc.
Plaza Liquor
DJ'S Northbrook Liquor LLC DBA Northbrook Liquor
Sam's West, Inc. DBA Sam's Club #6427
SL Liquor, Inc. DBA Silver Lake Liquor

Club On Sale Liquor (Annual Renewal)

AFL-CIO Labor Club DBA Labor Club
William T. McCoy Post 92 DBA American Legion
Rochester Elks Lodge #1091
Fraternal Order of Eagles #2228
Columbus Building Association DBA Knights of Columbus
Loyal Order of Moose DBA Rochester Moose Lodge #2128 - (NO

LONGER IN BUSINESS)

Rochester Golf & Country Club
VFW Post #1215 Whitlock Sonnenberg

Wine (Annual Renewal)

A & E Plus, Inc. DBA Dunn Bros Coffee
Karla Sperry DBA Bilotti's Italian Restaurant
Chardonnay LTD
LeeAnn Chin DBA Chin's Asia Fresh Restaurant
Chipotle Mexican Grill of Colorado, LLC DBA Chipotle Mexican Grill -
Marketplace

Agenda
Item

Chipotle Mexican Grill of Colorado, LLC DBA Chipotle Mexican Grill -
Crossroads

Daube's Bakery DBA Jasper's Alsatian Bistro & Wine
Nghì B. Sam DBA Great China Restaurant
Trips, Inc. DBA Hawthorne Suites of Rochester
G.A.C. Development LLC DBA Hilton Garden Inn
House of the Crafty Mouse LLC DBA Coffee Mouse Café
Dong Zeng LLC DBA Hunan Garden Restaurant
Image of Rochester, Inc. DBA 63 Club
India Garden, Inc.
John Hardy's Bar-B-Cue, Inc. 29 Frontage Rd, Hwy 52 North
John Hardy's Bar-B-Cue, Inc. 940 South Broadway
DMS Patel LLC DBA John's Family Restaurant & Coffee Shop
La Familia Mexican Restaurant
PPE, Inc. DBA Leo's Pizza Palace
Natraj Enterprises LLC DBA Natraj Indian Kitchen
The Noodle Shop Co. – Colorado, Inc DBA Noodles & Company
Rochester Bevflo, Inc DBA Residence Inn Rochester Downtown
Rochester Athletic Club, Inc.
Roscoe's Rootbeer & Ribs, Inc. DBA Roscoe's North
Three Happiness, Inc. DBA 3-H Restaurant
JADCO LLC DBA Valentino's of Rochester
Wong's Café, A General Partnership DBA Wong's Café
Wright Stuff Restaurant & Lounge
Vandro's LLC DBA Zorba's Greek Restaurant

On Sale Intoxicating Liquor (Annual Renewal)

Apple American LMTD Partnership of Mn. DBA Applebee's Neighborhood
Grill & Bar 3794 Marketplace Dr
Apple American LMTD Partnership of Mn DBA Applebee's Neighborhood
Grill & Bar 320 Apache Mall
Azteca Mexican Restaurant, Inc.
Beetles Bar & Grill, Inc.
Xiao Guo DBA Bon's Buffet
Boomer's Lounge LLC
Troy Nels Wing DBA The Break Room
SRSA, Inc. DBA C.J.'S Midtown Lounge
Creative Cuisine Inc DBA Broadstreet Café & Bar/Redwood Room
Brothers Bar & Grill, Inc.
Graf Family Investments DBA Buffalo Wild Wings Grill & Bar
J & S Corporation DBA Canadian Honker Hospitality
Honker Enterprises DBA Canadian Honker Restaurant
Carlos O'Kelly's Mexican Café
CMZ, Inc. DBA City Café
Colonial Company DBA Colonial Lanes and Brass Lantern Restaurant
The Phoenix Hotel LLC DBA Comfort Inn
Crown Restaurant & Lounge
Ruben Leon DBA Dos Amigo's Mexican Restaurant
Dos Amigo's Mexican Restaurant #2

Agenda Item

<p>Rochester Bevflo, Inc. DBA Economy Inn & Executive Suites Rivervalley BBQ, Inc DBA Famous Dave's BBQ Shack Fiesta Mexicana Restaurant, Inc. DBA Fiesta Café Bar Hangar Bar & Grill, Inc. Rochester Bevflo, Inc DBA Holiday Inn Downtown Sonor Hotel Corporation DBA Holiday Inn South Hunan Chinese Restaurant of Rochester, Inc. J & M'S Family Restaurant Inc DBA Shady Hill Grill Jenpachi Japanese Steak House LLC Rochester Bevflo, Inc. DBA Kahler Hotel Murphy & Teal, Inc. DBA Kathy's Pub King's Crossing Bar & Grill Co. Inc. Rochester Bevflo, Inc. DBA Marriott Hotel Dooley's Inc DBA McMurphy's Sports Café/Aquarius Nightclub Michael's Supper Club, Inc. DBA Michael's Restaurant MWC of Rochester DBA Mickey's Irish Saloon CJC Enterprises, Inc. DBA North Star Bar Hy-Pat Investment Inc. DBA O'Neill's Pizza Pub GMRI, Inc. DBA Olive Garden Italian Restaurant Outback Steakhouse/Midwest II, Limited Partnership DBA Outback</p>
--

Steakhouse

<p>Phnom Penh Restaurant & Lounge LLC Pint's Pub, Inc. MPLS Hotel Management DBA Radisson Plaza Hotel Recreation Lanes, Inc. GMRI, Inc. DBA Red Lobster #429 Chili's of Minnesota Inc. DBA Romano's Macaroni Grill Rookies Sports Grill & Bar, Inc. The Sandtrap Restech Partners, Inc., DBA TGI Friday's Timber Lodge Steakhouse, Inc. 3D and Beyond, Inc. DBA Ultra Lounge Victoria's of Minnesota DBA Victoria's Restaurant Chun X, Inc. DBA West Fire Grill Whistle Binkies LLC DBA Whistle Binkies Old World Pub Willow Creek Golf Course of Rochester, Inc.</p>

Consumption & Display (Annual Renewal)

Pla-Mor Ballroom

Other Annual Renewals

Sunday Liquor	61
On Sale 3.2%	43
Off Sale 3.2%	20
Dance	26
Bowling	2

RECORD OF OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL
CITY OF ROCHESTER, MINNESOTA
Regular Meeting No. 7 – March 7, 2005

7304

Agenda Item	
D-6	Approved Accounts Payable in the amount of \$6,992,016.61 and Investment Purchases of \$2,121,526.88.
D-7	Adopted Resolution No. 071-05 supporting the Outdoor Recreation Grant Program to the Department of Natural Resources for expansion of the existing Silver Lake Skate Park.
D-8	Adopted Resolution No. 072-05 approving the Wetland Replacement Plan for Waterfront Business Park with one condition.
D-9	Approved moving the temporary records position in the Rochester Police Department to a permanent, full-time Senior Clerk Typist position.
D-10	Adopted Resolution No. 073-05 approving the application and acceptance of FY2005 Edward Byrne Memorial Justice Assistance Grant in the amount of \$51,551 and approve the City of Rochester to act as fiscal agent for this grant.
D-11	Adopted Resolution No. 074-05 authorizing payment of Supplemental Agreements No. 1 – 5 with Road Constructors, Inc. in the amount of \$33,084.76 for Project No. M329 (J-7222) "Roadway Improvements CSAH #22 and Chateau Road N.W.".
D-12	Adopted Resolution No. 075-05 authorizing payment of Supplemental Agreement No. 1 with Road Constructors, Inc. in the amount of \$41,721.38 for Project No. 6303-1-92 (J-9214) "Construction of East River Road N.E. from 24 th Street to 37 th Street N.E.".
D-13	Adopted Resolution No. 076-05 authorizing the City Clerk to advertise for bids for Project No: M4-29 J6523 "Storm Sewer Extension in Woodland Drive SW from Baihly Hills Drive SW to approximately 450 ft S.E."
D-14	Adopted Resolution No. 077-05 authorizing payment of Supplemental Agreements No. 1 & 2 with Rochester Sand & Gravel in the amount of \$3,212.66 for Project No. 6316-4-97 (J-2261) "Reconstruct 16 th Avenue N.W. from Civic Center Drive to 500ft North".
D-15	Adopted Resolution No. 078-05 authorizing payment of Supplemental Agreement No. 3 with Rochester Sand & Gravel in the amount of \$3,181.22 for Project No. 6316-4-97 (J-2261) "Reconstruct 16 th Avenue N.W. from Civic Center Drive to 500ft North".
D-16	Adopted Resolution No. 079-05 approving execution of the City/Owner Contract with Port 72 LLC and Road Constructors, Inc. for Project No. J-5070 "Public Improvements to Serve Portage Townhomes".
D-17	See at end of D items.
D-18	Adopted Resolution No. 080-05 approving the execution of the Contribution Agreement with Roger Carlsen, owner and developer of Fox Trails Subdivision for grading on City Lands.

Agenda Item	
D-19	<p>Adopted Resolution No. 081-05 authorizing staff to negotiate and acquire the needed real estate for costs less than \$2,000, authorize the City Administrator to settle land acquisition in excess of \$2,000 and use of the 90-day Quick Take for land acquisition associated with the Right of Way Acquisition for the 7th Street N.W. Reconstruction Project.</p>
D-20	<p>Approved the list of election judges to serve at the April 5, 2005, Special General election for 1st Ward Councilmember.</p> <p>Ayes (7), Nays (0). Motion carried.</p>
D-17	<p>Councilmembers Marcoux moved, Nowicki seconded to table Special Assessment Rates for 2005-2006 Street Reconstruction Rehabilitation and Resurfacing Projects to the March 21, 2005 Council Meeting. Ayes (7), Nays (0). Motion carried.</p>
E-1	<p>A Continued Hearing on Land Use Plan Amendment Petition #04-08 by Alpha Realty Corporation and Alton & Louise Shefelbine to designate land from Low Density Residential and Medium Density Residential to Commercial on property located along the west wide of West Circle Drive, south of Northern Hills Golf Course and north of Valleyhigh Drive NW.</p> <p>Wishing to be heard was Mark Utz, 21 First Street SW, representing the developers. Mr. Utz explained the reasoning and history for the development and the cooperation by the land owners on past county and city projects.</p> <p>President Hanson also opened the hearing on General Development Plan #249 by Alpha Realty Corporation and Alton & Louise Shefelbine. All testimony taken in Item E-1 will apply to items E-1 and E-2.</p> <p>Wishing to be heard was William Tointon, McGhie and Betts, representing the developers. He presented a power point presentation explaining the intended use and development of the acreage. The developers have done exhaustive studying of the area and feel the land use amendment is a more comprehensive approach along this corridor. Of the 125 gross acres, 72 acres are the Alpha site and 53 on the Shefelbine site. Of this acreage, Mr. Tointon showed the actual developable land on these properties. He stated a significant portion of the corridor has been developed as commercial property which is more intense than the 1979 LUP had indicated. The sanitary sewer and water are in place on 41st Street that serves the Badger Hills Property. Right-of-way has been acquired for 41st Street and it is included in the CIP. Other public infrastructure projects have work completed that would help make this development work for the area. For compliance with the 1979 LUP, the decision was made to apply for the 5A category. A traffic analysis by Benshoof and Associates shows a north/south connecting road between the properties. The GDP shows a right in/right out will improve the level of service at the Alpha/Mayo road intersection. Mr. Tointon presented Findings supporting the LUP and GDP and stated there has been unanimous approval from the Planning Commission.</p>

Agenda Item	
	<p>Councilmember McConnell expressed his concern of the tree removal for this area. Mr. Tointon stated that they are working to preserve as many of the trees as possible but do need to remove diseased trees and thinning is needed to preserve already existing healthy trees.</p> <p>Having no one further wishing to be heard, President Hanson closed the hearing.</p> <p>Councilmembers Marcoux moved, Nowicki seconded, to adopt Resolution No. 082-05 approving Land Use Plan Amendment Petition #04-08 by Alpha Realty Corporation and Alton & Louise Shefelbine and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order. Ayes (6), Nays (1). Councilmember McConnell voted nay. Motion carried.</p>
E-2	<p>A Continued Hearing on General Development Plan #249 by Alpha Realty Corporation and Alton & Louise Shefelbine on property located along the west wide of West Circle Drive, south of Northern Hills Golf Course and north of Valleyhigh Drive NW.</p> <p>All testimony taken in Item E-1 was considered in the E-2 Public Hearing.</p> <p>Councilmembers Marcoux moved, Hruska seconded, to approve General Development Plan #249 by Alpha Realty Corporation and Alton & Louise Shefelbine with conditions seven conditions, (2-8) and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order. Ayes (6), Nays (1). Councilmember McConnell voted nay. Motion carried.</p>
E-3	<p>A Continued Hearing on Final Plat #05-04, by Brad & Laurie Thatcher and Richard & Lana Schultz, to be known as Forest Hills Sixth located east of TH52, south of 20th Street SW and on Edgewood Court SW.</p> <p>Wishing to be heard was Wade Neubauer, Yaggy Colby Associates, representing the developers. Mr. Neubauer stated they were in agreement with conditions one and two but asked that condition three dealing with the wetlands be deleted. He stated there have been three professional opinions that there are no wetlands on this site and asked the council to remove Condition #3 based on their recommendations.</p> <p>Mitzi Baker, Planning Department, explained that John Harford, the local government representative for the wetlands regulations in Rochester, has not, as of this date, been provided sufficient information relative to an on-site investigation which would meet the requirements of the Wetlands Conservation Act so this is the reason for condition three. Staff recommends not deleting this condition.</p> <p>Having no one further wishing to be heard, President Hanson closed the hearing.</p> <p>Councilmembers Marcoux moved, McConnell seconded to adopt Resolution No. 083-05 approving Final Plat #05-04, by Brad & Laurie Thatcher and Richard & Lana Schultz, to be known as Forest Hills Sixth with three conditions. Condition three to</p>


Agenda Item	
E-4	<p>be amended to include "or a No Loss Certificate obtained for this Subdivision" at the end. Ayes (7), Nays (0). Motion carried.</p> <p>A Hearing on General Development Plan #250 by Rochester Montessori School, Inc. to be known as Rochester Montessori GDP located along the north side of 7th Street NW and west of the Diamond Ridge Development.</p> <p>President Hanson also opened the hearing on Preliminary Plat #05-01 to be known as Rochester Montessori Subdivision by Rochester Montessori School, Inc. All testimony taken in Item E-4 will apply to the two items.</p> <p>Wishing to be heard was Pete Schuler, AB Systems, 209 Woodlake Dr. SE, representing the applicant. Mr. Schuler stated they were in agreement with the conditions and have met with the neighbors and staff and was available for any questions.</p> <p>Wishing to be heard was Tom Budnik, 471 Carlisle Lane NW. He is a resident of Somerset Hills and has not been within the designated area to receive notice of hearings. He stated he is not opposed to the school plans but is concerned with the traffic congestion especially with the 7th Street road conditions.</p> <p>Mike Nigbur, Public Works, explained there is no plan to upgrade 7th Street west of this project at this time. The future plans are to raise the elevation of 7th Street as it intersects with Cameron Drive. The westbound right turn lane being requested is on an interim basis until further development as plans for this area move forward.</p> <p>Mr. Budnik also expressed an issue with a proposed traffic signal on 7th Street. The staff does not see a signal in this area in the near future and then only if the need warrants.</p> <p>Mr. Budnik also had concerns about the existing 7th Street and Hwy 14 intersection. At this point it is a MNDOT decision but staff indicated that the median will be closed in the future causing a right-in and right-out intersection.</p> <p>He asked the council to withhold approval on this GDP until the three issues he addressed were implemented.</p> <p>Wishing to be heard Jeff People, president of the Montessori School Board. He stated the school is operating with approximately 150+ students. This is about 120-125 families and about 30 staff members. There is no plan to operate under more capacity than is current size. They will be expanding their drop off and pick up times to give more flexibility and help with congestion. He emphasized that Montessori School is committed to doing this project the best way it can be accomplished and there is a need to proceed quickly because of the school lease being up and a building is needed as soon as possible.</p> <p>Pete Schuler stated he felt the meetings have been very productive and that this will be able to move forward with all involved feeling good about the project.</p>

Agenda Item	
	<p>Having no one further wishing to be heard, President Hanson closed the hearing.</p> <p>Councilmembers Means moved, Carr seconded, to approve General Development Plan #250 by Rochester Montessori School, Inc. to be known as Rochester Montessori GDP with four conditions and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order. Ayes (7), Nays (0). Motion carried.</p>
E-5	<p>A Hearing on Preliminary Plat #05-01 to be known as Rochester Montessori Subdivision by Rochester Montessori School, Inc. located along the north side of 7th Street NW and west of the Diamond Ridge Development.</p> <p>All testimony taken in Item E-4 was considered in the E-5 Public Hearing.</p> <p>Councilmembers Marcoux moved, Hruska seconded to approve Preliminary Plat #05-01 by Rochester Montessori Subdivision by Rochester Montessori School, Inc. with four conditions and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order. Ayes (7), Nays (0). Motion carried.</p>
E-6	<p>A Hearing on Zoning District Amendment #05-01 by AC Pemwest LLC proposing to rezone from the M-2 to the M-1 District on property located along the east side of West Circle Drive, south of Valleyhigh Road NW and west of Pemstar.</p> <p>Wishing to be heard was Christi Clark, McGhie and Betts, representing the applicant. She stated they were in agreement with the conditions and was available for any questions.</p> <p>Having no one further wishing to be heard, President Hanson closed the hearing.</p> <p>Councilmembers Carr moved, Nowicki seconded, to approve Zoning District Amendment #05-01 by AC Pemwest LLC and instructed the City Attorney to prepare the required ordinance for adoption. Ayes (7), Nays (0). Motion carried.</p>
E-7	<p>A Hearing on Final Plat #05-07 by First Baptist Church, to be known as First Baptist Church Subdivision located along the north side of CSAH 25, south of Valleyview Road SW and west of 34th Avenue SW.</p> <p>Wishing to be heard was Christi Clark, McGhie and Betts, representing the applicant. She stated they were in agreement with the conditions and was available for any questions.</p> <p>Having no one further wishing to be heard, President Hanson closed the hearing.</p> <p>Councilmembers Nowicki moved, McConnell seconded, to adopt Resolution No. 084-05 approving Final Plat #05-07 by First Baptist Church, to be known as First Baptist Church Subdivision with three conditions. Ayes (7), Nays (0). Motion carried.</p>

Agenda Item	
E-8	<p>A Hearing on Vacation Petition #05-01 by Mayo Clinic Rochester to vacate a public alley running north and south between 3rd Street SW to 4th Street SW between 4th Avenue SW and 5th Avenue SW.</p> <p>Wishing to be heard was Mark Utz, of Wendland, Utz, Stahl and Mintz, Ltd, representing the applicant. He stated the conditions have been met and was available for any questions.</p> <p>Having no one further wishing to be heard, President Hanson closed the hearing.</p> <p>Councilmembers Nowicki moved, Hruska seconded, to adopt Resolution No. 085-05 approving Vacation Petition #05-01 by Mayo Clinic Rochester. Ayes (7), Nays (0). Motion carried.</p>
E-9	<p>A Hearing on Vacation Petition #05-03 by Excel Custom Homes, Inc. to vacate utility and drainage easement on property located along the west side of 26th Avenue NW and along the south side of Charles Court NW.</p> <p>Wishing to be heard was Wade Neubauer, Yaggy Colby Associates, representing the applicant was available for any questions.</p> <p>Having no one further wishing to be heard, President Hanson closed the hearing.</p> <p>Councilmembers Marcoux moved, McConnell seconded, to adopt Resolution No. 086-05 approving Vacation Petition #05-03 by Excel Custom Homes, Inc. Ayes (7), Nays (0). Motion carried.</p>
E-10	<p>A Hearing on Annexation Petition #05-01 by Gloria Dei Lutheran Church and Kuehl LLC located south of Valleyhigh Road, east of 50th Avenue NW.</p> <p>Having no one wishing to be heard, President Hanson closed the hearing.</p> <p>Councilmembers Marcoux moved, Nowicki seconded, to approve Annexation Petition #05-01 by Gloria Dei Lutheran Church and Kuehl LLC and instructed the City Attorney to prepare the required ordinance for adoption. Ayes (7), Nays (0). Motion carried.</p>
G-2a	<p>An Ordinance Rezoning Approximately 17.78 Acre from the M-2 Zoning District to the M-1 Zoning District, and Amending Ordinance No. 2785, Known as the Zoning Ordinance and Land Development Manual of the City of Rochester, Minnesota was given a first reading. (Zoning Amendment #05-01, AC Pemwest, LLC)</p>
G-2b	<p>An Ordinance Annexing to the City of Rochester Approximately 40 Acres of Land located in the Northwest Quarter of the Southwest Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota was given a first reading. (Annexation Petition #05-01, South of Valleyhigh Road, East of 50th Ave. NW)</p>
G-3a	<p>An Ordinance Creating and Enacting Chapter 64Q, and Amending and Reenacting Section 60.327 of the Rochester Code of Ordinances, Relating to the Establishment</p>

RECORD OF OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL
CITY OF ROCHESTER, MINNESOTA
Regular Meeting No. 7 – March 7, 2005

7310

Agenda Item	
	<p>of the Harvestview II Special District, was given a second reading. Councilmembers McConnell moved, Hruska seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried. (Special District #16)</p>
G-3b	<p>An Ordinance Amending and Reenacting Subdivision 3 of Section 64P.300 of the Rochester Code of Ordinances, Relating to the width of a Driveway Curb Cut in the Valley Side Estates Three Subdivision Special District, was given a second reading. Councilmembers Marcoux moved, McConnell seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried.</p>
G-3c	<p>An Ordinance Annexing to the City of Rochester Approximately 15 Acres of Land Located in a Part of the Southeast Quarter of the Southeast Quarter of Section 30, and a Part of the Northeast Quarter of the Northeast Quarter of Section 31, Township 107 North, Range 14 West, Olmsted County, Minnesota, was given a second reading. Councilmembers Marcoux moved, Nowicki seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried. (Annexation Petition #04-21 - North of 7th Street N.W., East of 50th Avenue N.W. and Valley Drive N.W.)</p>
G-3d	<p>An Ordinance Annexing to the City of Rochester Approximately 58.29 Acres of Land Located in the Southeast Quarter of Section 13, Township 107 North, Range 14 West, Olmsted County, Minnesota, was given a second reading. Councilmembers Marcoux moved, Means seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried. (Annexation Petition #04-22 – East of Highway 63, South of 48th Street N.E., West of 22nd Avenue N.E.)</p>
J-1	<p>Having no further business, Councilmembers Hruska moved, Marcoux seconded, to adjourn the meeting. Ayes (7), Nays (0). Motion carried.</p>
	<p> Deputy City Clerk</p>